



Docket No.: 250785US2
Date Allowed: 12/23/05

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/806,401

Applicants: Atsuhisa ASADA

Filing Date: March 23, 2004

For: SETTING METHOD FOR CONTROL PARAMETER,
SETTING DEVICE FOR CONTROL PARAMETER,
AND ELECTRIC POWER STEERING DEVICE

Group Art Unit: 3611

Examiner: LUM VANNUCCI, L.S.Y.

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of - 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Attorney of Record

Raymond F. Cardillo, Jr.

Registration No. 40,440

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO: 250785US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: 12/23/05
ATSUHISA ASADA : EXAMINER: LUM VANNUCCI, L.S.Y.
SERIAL NO: 10/806,401 :
FILED: MARCH 23, 2004 : GROUP ART UNIT: 3611
FOR: SETTING METHOD FOR :
CONTROL PARAMETER, SETTING
DEVICE FOR CONTROL PARAMETER,
AND ELECTRIC POWER STEERING
DEVICE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:


The “examiner’s statement of reasons for allowance,” included under the heading “EXAMINER’S REASONS FOR ALLOWANCE,” on page 2 attached to the “Notice of Allowability” (PTOL-37) that is in turn attached to the “Notice of Allowance and Fee(s) Due” mailed December 23, 2005, is mistaken in referring to the subject matter of allowed independent Claims 1 and 5.

In this regard, allowed independent Claim 1 is a method claim that recites process steps of “obtaining a speed ratio” and “setting the speed ratio,” not the “speed ratio calculating means” or the “parameter setting means” of Claims 3 and 7. While independent Claim 5 is an apparatus claim, it does not recite the “speed ratio calculating means” or the “parameter setting means” of Claims 3 and 7.

Accordingly, the above-noted "EXAMINER'S REASONS FOR ALLOWANCE" is clearly in error as to the subject matter of independent Claims 1 and 5 and should be modified in this regard to indicate the actual subject matter included in these claims.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Gregory J. Maier", is written over a horizontal line.

Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Raymond F. Cardillo, Jr.
Registration No. 40,440

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